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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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APPENDIX A

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Twice Amended) An isolated nucleic acid construct comprising a polynucleotide sequence encoding a polypeptide that is at least 80% identical to SEQ ID NO:4, wherein the polynucleotide sequence, when introduced into a plant, enhances the plant's resistance to pathogens compared to resistance of a plant not transformed with the polynucleotide sequence, and

wherein a first amino acid sequence comprising the polypeptide binds to [with] a second amino acid sequence comprising SEQ ID NO:2 in a yeast two-hybrid binding assay.

2. (Once amended) The construct of claim 1, wherein the polynucleotide sequence is from a rice plant.

13. (Once amended) The construct of claim 1, wherein the polynucleotide sequence is SEQ ID NO:3.

22. (Once amended) The construct of claim 1, wherein the polynucleotide sequence encodes SEQ ID:4.

31. (Twice Amended) A transgenic plant comprising a recombinant expression cassette comprising a plant promoter operably linked to a polynucleotide sequence encoding a polypeptide that is at least 80% identical to SEQ ID NO:4, wherein the polynucleotide sequence, when introduced into a plant, enhances the plant's resistance to pathogens compared to resistance of a plant not transformed with the polynucleotide sequence, and

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wherein a first amino acid sequence comprising the polypeptide binds to [with] a second amino acid sequence comprising SEQ ID NO:2 in a yeast two-hybrid binding assay.

43. (Once amended) The transgenic plant of claim 31, wherein the polynucleotide sequence is SEQ ID NO:3.

52. (Once amended) The transgenic plant of claim 31, wherein the polynucleotide sequence encodes SEQ ID:4.

60. (Twice Amended) A method of enhancing resistance to pathogens in a plant, the method comprising

1) introducing into the plant a recombinant expression cassette comprising a plant promoter operably linked to a polynucleotide sequence, wherein the polynucleotide sequence encodes a polypeptide that is at least 80% identical to SEQ ID NO:4, wherein a first amino acid sequence comprising the polypeptide binds with a second amino acid sequence comprising SEQ ID NO:2 when assayed in a yeast two-hybrid binding assay; and

2) selecting a plant with enhanced pathogen resistance compared to resistance of a plant not transformed with the recombinant expression cassette.

70. (Once amended) The construct of claim 30 [1], wherein the promoter is constitutive.

71. (Once amended) The construct of claim 30 [1], wherein the promoter is inducible.

72. (Once amended) The construct of claim 30 [1], wherein the promoter is tissue-specific.